

E-Filed for Record

6/8/2017 9:51:42 AM

Wheeler County District Clerk , TX

By: Debbie McLaughlin

CAUSE NO. 13412

CALVIN DEAN LUCK,

Plaintiff,

v.

ALAN MICHAEL SEGURA, JR.,  
JARED CLAY PATTERSON, AND  
GILBERT SEGURA,

Defendants.

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IN THE DISTRICT COURT

31ST JUDICIAL DISTRICT

WHEELER COUNTY, TEXAS

**DEFENDANT'S MOTION TO QUASH, FOR PROTECTION FROM DISCOVERY, AND  
OBJECTIONS TO DEPOSITION BY WRITTEN QUESTION OF RECORDS CUSTODIAN  
FOR DEFENDANT'S MEDICAL RECORDS AND LABORATORY RESULTS  
FROM PARKVIEW HOSPITAL**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES ALAN MICHAEL SEGURA, JR. ("Defendant"), and brings this Motion to Quash, for Protection from Discovery, and Objections against CALVIN DEAN LUCK ("Plaintiff"). Defendant asks the Court to quash the deposition notices of the records custodian of Parkview Hospital and to issue a protective order. As grounds for these objections and motion, Defendant would respectfully show the court the following:

I.

This is a personal injury case. Plaintiff alleges that he sustained bodily injuries in a car accident which occurred on July 29, 2016 at approximately, 12:16 p.m. Defendant has made no claim for personal injury against the Plaintiff as a result of the accident.

II.

On Wednesday, June 7, 2017 at 4:37 p.m. the Plaintiff's Efiled Plaintiff's Notice of Production Or Inspection of Documents and Other Tangible things (Exhibit A) for *'any and all medical records and laboratory results regarding Alan Michael Segura.'* Because this motion

is filed within three (3) business days of the date the notice was served, this motion objecting to the production of these documents, "*no less than ten days*" stays the deposition until the motion can be determined by the Court. Tex. R. Civ. P. 199.4

III.

The depositions notice specifies that Parkview Hospital, 901 South Sweetwater, Wheeler, Texas 79096 shall produce and that a subpoena duces tecum would be issued to the records custodian to produce:

*Any and all medical records and laboratory results regarding:*

*Name: Alan Michael Segura*

*Date of Birth: 04/29/1997*

*Date of Service July 29, 2016*

IV.

This notice of production or inspection of documents seeks the production of information which is highly personal in nature, will not lead to the discovery into any relevant matter, and is not reasonably calculate to lead to the discovery of admissible evidence. According to the Wheeler County Sherrieff's Office, there was no evidence of: 1) any medical condition of Defendant which attributed to the accident; 2) that Defendant was under the influence of any medication which attributed to the accident; 3) that Defendant was under the influence of any illegal medication which attributed to the accident; or 4) that Defendant was under the influence of any alcohol at the time of the accident which attributed to the accident. (Exhibit B). There is no evidence to support Plaintiff's subpoena for Defendant's medical records which are highly personal in nature and irrelevant to the issues involved in this lawsuit.

Furthermore, Plaintiff has conducted written discovery on the Defendant regarding his use of any medication, prescription and/or illegal and any use of alcohol at the time of the

accident. Defendant has testified under oath that he was not under the influence of medication prescriptive or illegal or was under the influence of alcohol at the time of the accident. (Exhibit C),

V.

The Plaintiff is seeking a fishing expedition that is not allowed under the TRCP 196.1 *Dillard Depts. Stores, Inc., v. Hall*, 909 S. W 2d 491, 492 (Tex. 1995); *In re Alford Chevrolet-Geo*, 977 S. W. 2d 173, 181 (Tex. 1999).

The discovery sought by the Plaintiff has no legitimate purpose and has failed to show that any relevance of the Defendant's medical records following the accident and the discovery is improper. The Plaintiff is clearly trying to harass the Defendant, and invade his privacy — and that is not proper for any party. See, *Martin v. Khoury*, 843 S. W. 2d 163 (Tex. App.—Texarkana 1992, org., proceeding). In *Martin* the Court stated, “[T]he initial question that must be answered before any discovery may take place is whether the time for which discovery is sought is relevant to the subject matter of the lawsuit or is reasonably calculated to lead to the discovery of admissible evidence.” 843 S. W. 2d at 166. The Court further noted that “[w]ithout that initial showing of relevance, discovery is improper.” *Id.*

WHEREFORE, PREMISES CONSIDERED, Defendant ALAN MICHAEL SEGURA, JR. request tha tthis court enter appropriate orders in accordanc with the Texas Rules of Civil Procedure prohibiting the requeste discovery as set out above.

Respectfully Submitted,

*/s/Sharon Billingsley Shaw*

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State Bar #24034253  
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3223 South Loop 289, Suite 145  
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ATTORNEY FOR DEFENDANT  
ALAN MICHAEL SEGURA, JR.

CERTIFICATE OF SERVICE

On the 8th day of June, 2017, a true and correct copy of this document was served in accordance with Texas Rules of Civil Procedure to Samantha Peabody Estrello, Killion Law Firm, P.O. Box 64670, Lubbock, TX 79464; email: [samatha@killionlaw.com](mailto:samatha@killionlaw.com) ; J. Landon Schmidt, Peterson, Farris, Byrd & Parker, P.O. Box 65163, Lubbock, TX 79464; email: [lschmidt@byrdfirm.com](mailto:lschmidt@byrdfirm.com).

*/s/Sharon Billingsley Shaw*

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SHARON BILLINGSLEY SHAW

***KILLION LAW FIRM PC***

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# SHAREHOLDER

June 7, 2017

E-Filed for Record  
6/7/2017 4:37:12 PM

Wheeler County District Clerk , TX

By: Sherri Jones

Via CMRRR No. 7007 2680 0002 0138 0846

Parkview Hospital  
901 South Sweetwater  
Wheeler, Texas 79096

RE: Case No. 13412; Calvin Dean Luck, Plaintiff vs. Alan Michael Segura,  
Jr. and Jared Clay Patterson, Defendants; In the 31st District Court of  
Wheeler County, Texas.

To Whom it May Concern:

Enclosed please find *Plaintiff's Notice for Production or Inspection of Documents and Other Tangible Things* for the above referenced case. This is being sent as notice under Rule 205.2 of the Texas Rules of Civil Procedure ten (10) days prior to actual service of a subpoena to produce the documents. Actual service of the subpoena will not be required if you mail certified copies of the documents with your notarized certificate of authentication to Killion Law Firm PC, on or before 10 days from the date of this letter.

Your help and cooperation are greatly appreciated. If you have any questions, then please advise accordingly.

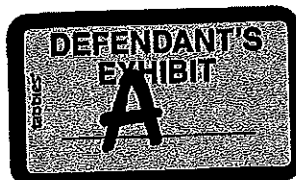
With personal regards,

Samantha Peabody Estrello

SPE:bmm  
Enclosure

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JUN 07 2017



Parkview Hospital

June 7, 2017

Page -2-

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cc: Via ProDocs e-Filing (LubbockSCEfile@geico.com), (ShaShaw@geico.com)

and/or Via First Class Mail:

Sharon Billingsley Shaw

Law Office of Sharon Billingsley Shaw

3223 South Loop 289, Suite 416

Lubbock, Texas 79423

Attorneys for Defendant Alan Michael Segura, Jr.

Via ProDocs e-Filing (lschmidt@byrdfirm.com)

and/or Via First Class Mail:

J. Landon K. Schmidt

PETERSON, FARRIS, BYRD & PARKER

7816 Orlando Avenue

P. O. Box 65163

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Attorneys for Defendant Jared Clay Patterson

CAUSE NO. 13412

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CALVIN DEAN LUCK,

*Plaintiff,*

V.

ALAN MICHAEL SEGURA, JR.

AND

JARED CLAY PATTERSON,

*Defendants.*

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IN THE 31st DISTRICT COURT

6/7/2017 4:37:12 PM

Wheeler County District Clerk , TX

OF

By: Sherri Jones

WHEELER COUNTY, TEXAS

PLAINTIFF'S NOTICE FOR PRODUCTION OR INSPECTION  
OF DOCUMENTS AND OTHER TANGIBLE THINGS

To: Parkview Hospital  
901 South Sweetwater  
Wheeler, Texas 79096

Under Rule 205.3 of the Texas Rule of Civil Procedure, you are notified that a Subpoena Duces Tecum will be issued no less than ten days from the date this notice is served. This Subpoena will require you to produce and permit inspection and copying of the following documents and tangible things:

1. Any and all medical records and laboratory results regarding:

Name: Alan Michael Segura  
Date of Birth: 04/29/1997  
Date of Service: July 29, 2016

RECEIVED

6/7/2017

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been delivered to the parties below via the method(s) indicated on this 7th day of June, 2017, addressed and delivered as follows:

Via ProDocs e-Filing (LubbockSCEfile@geico.com), (ShaShaw@geico.com)  
and/or Via First Class Mail:  
Sharon Billingsley Shaw  
Law Office of Sharon Billingsley Shaw  
3223 South Loop 289, Suite 416  
Lubbock, Texas 79423

Attorneys for Defendant Alan Michael Segura, Jr.

Via ProDocs e-Filing (lschmidt@byrdfirm.com)  
and/or Via First Class Mail:  
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7816 Orlando Avenue  
P. O. Box 65163  
Lubbock, Texas 79464

Attorneys for Defendant Jared Clay Patterson

/s/ Samantha Peabody Estrello  
Samantha Peabody Estrello





From: KILLION LAW FIRM

806+748+5505

09/07/2016 13:58

#417 P.003/007

Law Enforcement and Law of Use ONLY.  
Form CR-3 (Rev. 10/2010)

Case ID: 16-07-243A Date of Report (MM/DD/YYYY): 07/29/2016 Page 2 of 6

Unit Num	Person Num	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HR/Min)
2	1	PARKVIEW HOSPITAL, WHEELER, TEXAS	WHEELER EMS		

**DISPOSITION OF DECEASED**

Unit Num	Person Num	Charge	Charged Reference Num.
1	1	Fail to Control Speed	25680
1	1	Expired Registration	25680
1	1	Failed to Maintain Financial Responsibility	25680

**DAMAGE**

Damage Property Other Than Vehicles: NONE

Owner's Name: \_\_\_\_\_ Owner's Address: \_\_\_\_\_

**VEHICLE**

Unit Make: ☐ 1980-1989 ☐ 1990-1999 ☐ 2000-2009 ☐ 2010-2019 ☐ 2020-2029 ☐ 2030-2039 ☐ 2040-2049 ☐ 2050-2059 ☐ 2060-2069 ☐ 2070-2079 ☐ 2080-2089 ☐ 2090-2099 ☐ 2100-2109 ☐ 2110-2119 ☐ 2120-2129 ☐ 2130-2139 ☐ 2140-2149 ☐ 2150-2159 ☐ 2160-2169 ☐ 2170-2179 ☐ 2180-2189 ☐ 2190-2199 ☐ 2200-2209 ☐ 2210-2219 ☐ 2220-2229 ☐ 2230-2239 ☐ 2240-2249 ☐ 2250-2259 ☐ 2260-2269 ☐ 2270-2279 ☐ 2280-2289 ☐ 2290-2299 ☐ 2300-2309 ☐ 2310-2319 ☐ 2320-2329 ☐ 2330-2339 ☐ 2340-2349 ☐ 2350-2359 ☐ 2360-2369 ☐ 2370-2379 ☐ 2380-2389 ☐ 2390-2399 ☐ 2400-2409 ☐ 2410-2419 ☐ 2420-2429 ☐ 2430-2439 ☐ 2440-2449 ☐ 2450-2459 ☐ 2460-2469 ☐ 2470-2479 ☐ 2480-2489 ☐ 2490-2499 ☐ 2500-2509 ☐ 2510-2519 ☐ 2520-2529 ☐ 2530-2539 ☐ 2540-2549 ☐ 2550-2559 ☐ 2560-2569 ☐ 2570-2579 ☐ 2580-2589 ☐ 2590-2599 ☐ 2600-2609 ☐ 2610-2619 ☐ 2620-2629 ☐ 2630-2639 ☐ 2640-2649 ☐ 2650-2659 ☐ 2660-2669 ☐ 2670-2679 ☐ 2680-2689 ☐ 2690-2699 ☐ 2700-2709 ☐ 2710-2719 ☐ 2720-2729 ☐ 2730-2739 ☐ 2740-2749 ☐ 2750-2759 ☐ 2760-2769 ☐ 2770-2779 ☐ 2780-2789 ☐ 2790-2799 ☐ 2800-2809 ☐ 2810-2819 ☐ 2820-2829 ☐ 2830-2839 ☐ 2840-2849 ☐ 2850-2859 ☐ 2860-2869 ☐ 2870-2879 ☐ 2880-2889 ☐ 2890-2899 ☐ 2900-2909 ☐ 2910-2919 ☐ 2920-2929 ☐ 2930-2939 ☐ 2940-2949 ☐ 2950-2959 ☐ 2960-2969 ☐ 2970-2979 ☐ 2980-2989 ☐ 2990-2999 ☐ 3000-3009 ☐ 3010-3019 ☐ 3020-3029 ☐ 3030-3039 ☐ 3040-3049 ☐ 3050-3059 ☐ 3060-3069 ☐ 3070-3079 ☐ 3080-3089 ☐ 3090-3099 ☐ 3100-3109 ☐ 3110-3119 ☐ 3120-3129 ☐ 3130-3139 ☐ 3140-3149 ☐ 3150-3159 ☐ 3160-3169 ☐ 3170-3179 ☐ 3180-3189 ☐ 3190-3199 ☐ 3200-3209 ☐ 3210-3219 ☐ 3220-3229 ☐ 3230-3239 ☐ 3240-3249 ☐ 3250-3259 ☐ 3260-3269 ☐ 3270-3279 ☐ 3280-3289 ☐ 3290-3299 ☐ 3300-3309 ☐ 3310-3319 ☐ 3320-3329 ☐ 3330-3339 ☐ 3340-3349 ☐ 3350-3359 ☐ 3360-3369 ☐ 3370-3379 ☐ 3380-3389 ☐ 3390-3399 ☐ 3400-3409 ☐ 3410-3419 ☐ 3420-3429 ☐ 3430-3439 ☐ 3440-3449 ☐ 3450-3459 ☐ 3460-3469 ☐ 3470-3479 ☐ 3480-3489 ☐ 3490-3499 ☐ 3500-3509 ☐ 3510-3519 ☐ 3520-3529 ☐ 3530-3539 ☐ 3540-3549 ☐ 3550-3559 ☐ 3560-3569 ☐ 3570-3579 ☐ 3580-3589 ☐ 3590-3599 ☐ 3600-3609 ☐ 3610-3619 ☐ 3620-3629 ☐ 3630-3639 ☐ 3640-3649 ☐ 3650-3659 ☐ 3660-3669 ☐ 3670-3679 ☐ 3680-3689 ☐ 3690-3699 ☐ 3700-3709 ☐ 3710-3719 ☐ 3720-3729 ☐ 3730-3739 ☐ 3740-3749 ☐ 3750-3759 ☐ 3760-3769 ☐ 3770-3779 ☐ 3780-3789 ☐ 3790-3799 ☐ 3800-3809 ☐ 3810-3819 ☐ 3820-3829 ☐ 3830-3839 ☐ 3840-3849 ☐ 3850-3859 ☐ 3860-3869 ☐ 3870-3879 ☐ 3880-3889 ☐ 3890-3899 ☐ 3900-3909 ☐ 3910-3919 ☐ 3920-3929 ☐ 3930-3939 ☐ 3940-3949 ☐ 3950-3959 ☐ 3960-3969 ☐ 3970-3979 ☐ 3980-3989 ☐ 3990-3999 ☐ 4000-4009 ☐ 4010-4019 ☐ 4020-4029 ☐ 4030-4039 ☐ 4040-4049 ☐ 4050-4059 ☐ 4060-4069 ☐ 4070-4079 ☐ 4080-4089 ☐ 4090-4099 ☐ 4100-4109 ☐ 4110-4119 ☐ 4120-4129 ☐ 4130-4139 ☐ 4140-4149 ☐ 4150-4159 ☐ 4160-4169 ☐ 4170-4179 ☐ 4180-4189 ☐ 4190-4199 ☐ 4200-4209 ☐ 4210-4219 ☐ 4220-4229 ☐ 4230-4239 ☐ 4240-4249 ☐ 4250-4259 ☐ 4260-4269 ☐ 4270-4279 ☐ 4280-4289 ☐ 4290-4299 ☐ 4300-4309 ☐ 4310-4319 ☐ 4320-4329 ☐ 4330-4339 ☐ 4340-4349 ☐ 4350-4359 ☐ 4360-4369 ☐ 4370-4379 ☐ 4380-4389 ☐ 4390-4399 ☐ 4400-4409 ☐ 4410-4419 ☐ 4420-4429 ☐ 4430-4439 ☐ 4440-4449 ☐ 4450-4459 ☐ 4460-4469 ☐ 4470-4479 ☐ 4480-4489 ☐ 4490-4499 ☐ 4500-4509 ☐ 4510-4519 ☐ 4520-4529 ☐ 4530-4539 ☐ 4540-4549 ☐ 4550-4559 ☐ 4560-4569 ☐ 4570-4579 ☐ 4580-4589 ☐ 4590-4599 ☐ 4600-4609 ☐ 4610-4619 ☐ 4620-4629 ☐ 4630-4639 ☐ 4640-4649 ☐ 4650-4659 ☐ 4660-4669 ☐ 4670-4679 ☐ 4680-4689 ☐ 4690-4699 ☐ 4700-4709 ☐ 4710-4719 ☐ 4720-4729 ☐ 4730-4739 ☐ 4740-4749 ☐ 4750-4759 ☐ 4760-4769 ☐ 4770-4779 ☐ 4780-4789 ☐ 4790-4799 ☐ 4800-4809 ☐ 4810-4819 ☐ 4820-4829 ☐ 4830-4839 ☐ 4840-4849 ☐ 4850-4859 ☐ 4860-4869 ☐ 4870-4879 ☐ 4880-4889 ☐ 4890-4899 ☐ 4900-4909 ☐ 4910-4919 ☐ 4920-4929 ☐ 4930-4939 ☐ 4940-4949 ☐ 4950-4959 ☐ 4960-4969 ☐ 4970-4979 ☐ 4980-4989 ☐ 4990-4999 ☐ 5000-5009 ☐ 5010-5019 ☐ 5020-5029 ☐ 5030-5039 ☐ 5040-5049 ☐ 5050-5059 ☐ 5060-5069 ☐ 5070-5079 ☐ 5080-5089 ☐ 5090-5099 ☐ 5100-5109 ☐ 5110-5119 ☐ 5120-5129 ☐ 5130-5139 ☐ 5140-5149 ☐ 5150-5159 ☐ 5160-5169 ☐ 5170-5179 ☐ 5180-5189 ☐ 5190-5199 ☐ 5200-5209 ☐ 5210-5219 ☐ 5220-5229 ☐ 5230-5239 ☐ 5240-5249 ☐ 5250-5259 ☐ 5260-5269 ☐ 5270-5279 ☐ 5280-5289 ☐ 5290-5299 ☐ 5300-5309 ☐ 5310-5319 ☐ 5320-5329 ☐ 5330-5339 ☐ 5340-5349 ☐ 5350-5359 ☐ 5360-5369 ☐ 5370-5379 ☐ 5380-5389 ☐ 5390-5399 ☐ 5400-5409 ☐ 5410-5419 ☐ 5420-5429 ☐ 5430-5439 ☐ 5440-5449 ☐ 5450-5459 ☐ 5460-5469 ☐ 5470-5479 ☐ 5480-5489 ☐ 5490-5499 ☐ 5500-5509 ☐ 5510-5519 ☐ 5520-5529 ☐ 5530-5539 ☐ 5540-5549 ☐ 5550-5559 ☐ 5560-5569 ☐ 5570-5579 ☐ 5580-5589 ☐ 5590-5599 ☐ 5600-5609 ☐ 5610-5619 ☐ 5620-5629 ☐ 5630-5639 ☐ 5640-5649 ☐ 5650-5659 ☐ 5660-5669 ☐ 5670-5679 ☐ 5680-5689 ☐ 5690-5699 ☐ 5700-5709 ☐ 5710-5719 ☐ 5720-5729 ☐ 5730-5739 ☐ 5740-5749 ☐ 5750-5759 ☐ 5760-5769 ☐ 5770-5779 ☐ 5780-5789 ☐ 5790-5799 ☐ 5800-5809 ☐ 5810-5819 ☐ 5820-5829 ☐ 5830-5839 ☐ 5840-5849 ☐ 5850-5859 ☐ 5860-5869 ☐ 5870-5879 ☐ 5880-5889 ☐ 5890-5899 ☐ 5900-5909 ☐ 5910-5919 ☐ 5920-5929 ☐ 5930-5939 ☐ 5940-5949 ☐ 5950-5959 ☐ 5960-5969 ☐ 5970-5979 ☐ 5980-5989 ☐ 5990-5999 ☐ 6000-6009 ☐ 6010-6019 ☐ 6020-6029 ☐ 6030-6039 ☐ 6040-6049 ☐ 6050-6059 ☐ 6060-6069 ☐ 6070-6079 ☐ 6080-6089 ☐ 6090-6099 ☐ 6100-6109 ☐ 6110-6119 ☐ 6120-6129 ☐ 6130-6139 ☐ 6140-6149 ☐ 6150-6159 ☐ 6160-6169 ☐ 6170-6179 ☐ 6180-6189 ☐ 6190-6199 ☐ 6200-6209 ☐ 6210-6219 ☐ 6220-6229 ☐ 6230-6239 ☐ 6240-6249 ☐ 6250-6259 ☐ 6260-6269 ☐ 6270-6279 ☐ 6280-6289 ☐ 6290-6299 ☐ 6300-6309 ☐ 6310-6319 ☐ 6320-6329 ☐ 6330-6339 ☐ 6340-6349 ☐ 6350-6359 ☐ 6360-6369 ☐ 6370-6379 ☐ 6380-6389 ☐ 6390-6399 ☐ 6400-6409 ☐ 6410-6419 ☐ 6420-6429 ☐ 6430-6439 ☐ 6440-6449 ☐ 6450-6459 ☐ 6460-6469 ☐ 6470-6479 ☐ 6480-6489 ☐ 6490-6499 ☐ 6500-6509 ☐ 6510-6519 ☐ 6520-6529 ☐ 6530-6539 ☐ 6540-6549 ☐ 6550-6559 ☐ 6560-6569 ☐ 6570-6579 ☐ 6580-6589 ☐ 6590-6599 ☐ 6600-6609 ☐ 6610-6619 ☐ 6620-6629 ☐ 6630-6639 ☐ 6640-6649 ☐ 6650-6659 ☐ 6660-6669 ☐ 6670-6679 ☐ 6680-6689 ☐ 6690-6699 ☐ 6700-6709 ☐ 6710-6719 ☐ 6720-6729 ☐ 6730-6739 ☐ 6740-6749 ☐ 6750-6759 ☐ 6760-6769 ☐ 6770-6779 ☐ 6780-6789 ☐ 6790-6799 ☐ 6800-6809 ☐ 6810-6819 ☐ 6820-6829 ☐ 6830-6839 ☐ 6840-6849 ☐ 6850-6859 ☐ 6860-6869 ☐ 6870-6879 ☐ 6880-6889 ☐ 6890-6899 ☐ 6900-6909 ☐ 6910-6919 ☐ 6920-6929 ☐ 6930-6939 ☐ 6940-6949 ☐ 6950-6959 ☐ 6960-6969 ☐ 6970-6979 ☐ 6980-6989 ☐ 6990-6999 ☐ 7000-7009 ☐ 7010-7019 ☐ 7020-7029 ☐ 7030-7039 ☐ 7040-7049 ☐ 7050-7059 ☐ 7060-7069 ☐ 7070-7079 ☐ 7080-7089 ☐ 7090-7099 ☐ 7100-7109 ☐ 7110-7119 ☐ 7120-7129 ☐ 7130-7139 ☐ 7140-7149 ☐ 7150-7159 ☐ 7160-7169 ☐ 7170-7179 ☐ 7180-7189 ☐ 7190-7199 ☐ 7200-7209 ☐ 7210-7219 ☐ 7220-7229 ☐ 7230-7239 ☐ 7240-7249 ☐ 7250-7259 ☐ 7260-7269 ☐ 7270-7279 ☐ 7280-7289 ☐ 7290-7299 ☐ 7300-7309 ☐ 7310-7319 ☐ 7320-7329 ☐ 7330-7339 ☐ 7340-7349 ☐ 7350-7359 ☐ 7360-7369 ☐ 7370-7379 ☐ 7380-7389 ☐ 7390-7399 ☐ 7400-7409 ☐ 7410-7419 ☐ 7420-7429 ☐ 7430-7439 ☐ 7440-7449 ☐ 7450-7459 ☐ 7460-7469 ☐ 7470-7479 ☐ 7480-7489 ☐ 7490-7499 ☐ 7500-7509 ☐ 7510-7519 ☐ 7520-7529 ☐ 7530-7539 ☐ 7540-7549 ☐ 7550-7559 ☐ 7560-7569 ☐ 7570-7579 ☐ 7580-7589 ☐ 7590-7599 ☐ 7600-7609 ☐ 7610-7619 ☐ 7620-7629 ☐ 7630-7639 ☐ 7640-7649 ☐ 7650-7659 ☐ 7660-7669 ☐ 7670-7679 ☐ 7680-7689 ☐ 7690-7699 ☐ 7700-7709 ☐ 7710-7719 ☐ 7720-7729 ☐ 7730-7739 ☐ 7740-7749 ☐ 7750-7759 ☐ 7760-7769 ☐ 7770-7779 ☐ 7780-7789 ☐ 7790-7799 ☐ 7800-7809 ☐ 7810-7819 ☐ 7820-7829 ☐ 7830-7839 ☐ 7840-7849 ☐ 7850-7859 ☐ 7860-7869 ☐ 7870-7879 ☐ 7880-7889 ☐ 7890-7899 ☐ 7900-7909 ☐ 7910-7919 ☐ 7920-7929 ☐ 7930-7939 ☐ 7940-7949 ☐ 7950-7959 ☐ 7960-7969 ☐ 7970-7979 ☐ 7980-7989 ☐ 7990-7999 ☐ 8000-8009 ☐ 8010-8019 ☐ 8020-8029 ☐ 8030-8039 ☐ 8040-8049 ☐ 8050-8059 ☐ 8060-8069 ☐ 8070-8079 ☐ 8080-8089 ☐ 8090-8099 ☐ 8100-8109 ☐ 8110-8119 ☐ 8120-8129 ☐ 8130-8139 ☐ 8140-8149 ☐ 8150-8159 ☐ 8160-8169 ☐ 8170-8179 ☐ 8180-8189 ☐ 8190-8199 ☐ 8200-8209 ☐ 8210-8219 ☐ 8220-8229 ☐ 8230-8239 ☐ 8240-8249 ☐ 8250-8259 ☐ 8260-8269 ☐ 8270-8279 ☐ 8280-8289 ☐ 8290-8299 ☐ 8300-8309 ☐ 8310-8319 ☐ 8320-8329 ☐ 8330-8339 ☐ 8340-8349 ☐ 8350-8359 ☐ 8360-8369 ☐ 8370-8379 ☐ 8380-8389 ☐ 8390-8399 ☐ 8400-8409 ☐ 8410-8419 ☐ 8420-8429 ☐ 8430-8439 ☐ 8440-8449 ☐ 8450-8459 ☐ 8460-8469 ☐ 8470-8479 ☐ 8480-8489 ☐ 8490-8499 ☐ 8500-8509 ☐ 8510-8519 ☐ 8520-8529 ☐ 8530-8539 ☐ 8540-8549 ☐ 8550-8559 ☐ 8560-8569 ☐ 8570-8579 ☐ 8580-8589 ☐ 8590-8599 ☐ 8600-8609 ☐ 8610-8619 ☐ 8620-8629 ☐ 8630-8639 ☐ 8640-8649 ☐ 8650-8659 ☐ 8660-8669 ☐ 8670-8679 ☐ 8680-8689 ☐ 8690-8699 ☐ 8700-8709 ☐ 8710-8719 ☐ 8720-8729 ☐ 8730-8739 ☐ 8740-8749 ☐ 8750-8759 ☐ 8760-8769 ☐ 8770-8779 ☐ 8780-8789 ☐ 8790-8799 ☐ 8800-8809 ☐ 8810-8819 ☐ 8820-8829 ☐ 8830-8839 ☐ 8840-8849 ☐ 8850-8859 ☐ 8860-8869 ☐ 8870-8879 ☐ 8880-8889 ☐ 8890-8899 ☐ 8900-8909 ☐ 8910-8919 ☐ 8920-8929 ☐ 8930-8939 ☐ 8940-8949 ☐ 8950-8959 ☐ 8960-8969 ☐ 8970-8979 ☐ 8980-8989 ☐ 8990-8999 ☐ 9000-9009 ☐ 9010-9019 ☐ 9020-9029 ☐ 9030-9039 ☐ 9040-9049 ☐ 9050-9059 ☐ 9060-9069 ☐ 9070-9079 ☐ 9080-9089 ☐ 9090-9099 ☐ 9100-9109 ☐ 9110-9119 ☐ 9120-9129 ☐ 9130-9139 ☐ 9140-9149 ☐ 9150-9159 ☐ 9160-9169 ☐ 9170-9179 ☐ 9180-9189 ☐ 9190-9199 ☐ 9200-9209 ☐ 9210-9219 ☐ 9220-9229 ☐ 9230-9239 ☐ 9240-9249

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From: KILLION LAW FIRM

806-748-5505

09/07/2016 14:00

#417 P.006/007

## CRASH NARRATIVE

CASE NUMBER: 16-07-243A

OFFICER NAME: Reeves, Tim

NEAREST CITY:

CRASH DATE/TIME: 7/29/2016 12:16:31 PM

COUNTY: Wheeler

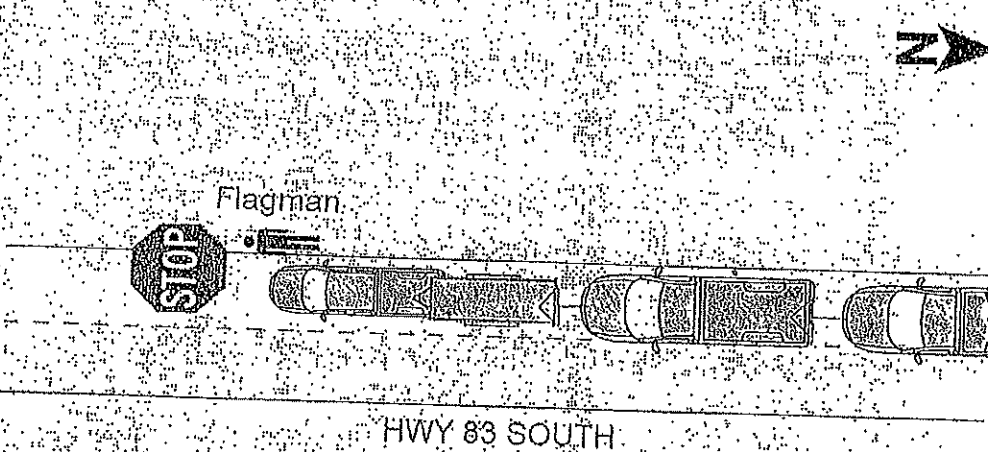
ON THIS DATE I RESPONDED TO COUNTY RD 18 AND HWY 83 ON A THREE VEHICLE ACCIDENT. UPON ARRIVAL I SPOKE WITH THE DRIVER OF UNIT 1, THE DRIVER OF UNIT 1 STATED THAT IT WAS ALL HIS FAULT, I ASKED HIM WHY IT WAS HIS FAULT AND HE STATED THAT HE WASNT PAYING ATTENTION AND RAN INTO THE BACK OF THE VEHICLE. I ASKED HIM IF SOMETHING WENT WRONG AND HE STATED HE DONT KNOW IF HE FELL ASLEEP OR NOT. I THEN WENT AND OBSERVED THE DRIVER OF UNIT 2 AND NOTICED THAT HIS EYE WAS SWOLLEN AND PUFFED OUT OF HIS EYE SOCKET. THE DRIVER OF UNIT THREE WAS STANDING THERE AND STATED HE DONT SEE THE DRIVER OF UNIT 1 HIT THEM HE JUST FELT IT. THE DRIVER OF UNIT THREE WAS PULLING A GOOSE NECK TRAILER LOADED FULL OFF CATTLE. WHERE THIS ACCIDENT OCCURED WAS IN A CONSTRUCTION ZONE AND A FLAGMAN FOR THE CONSTRUCTION CREW HAD THE SOUTHBOUND TRAFFIC STOPPED WAITING ON THE PILOT CAR TO BRING THE NORTHBOUND TRAFFIC THREW. WHEELER EMS ARRIVED AND TOOK THE PASSENGER FROM UNIT 1 TO THE HOSPITAL AND THE DRIVER OF UNIT 2 ALSO. THE DRIVER OF UNIT 1 AND UNIT 3 DID NOT HAVE ANY INJURIES. THE INJURIES TO THE DRIVER OF UNIT 2 ARE NON LIFE THREATENING OR TO THE PASSENGER OF UNIT 1. UNIT 1 AND 2 WHERE BOTH TOWED BY 66 TOWING AND EDWARDS TOWING. THE DRIVER OF UNIT THREE HAD HELP PULLING HIS TRUCK AND TRAILER OFF SCENE. THE DAMAGE TO UNIT WAS HAD SEVERE DAMAGE TO THE FRONT END AND WAS NOT DRIVEABLE. UNIT 2 ALSO HAD SEVERE DAMAGE TO THE BACK END AND TO THE FRONT END AND WAS NOT DRIVEABLE. THE DAMAGE TO UNIT 3 WAS TO THE GOOSE NECK TRAILER DOOR HAD BEEN PUSHED IN AND THE TRAILER HITCH IN THE BACK END OF UNIT 3 WAS BENT IN THE BED OF THE PICKUP. UNIT 1 WAS ISSUED THREE CITATIONS FOR FAIL TO CONTROL SPEED, NO INSURANCE AND EXPIRED REGISTRATION.

CASE NUMBER: 16-07-243A  
CRASH DATE/TIME: 7/29/2016 (2:16:31 PM)

CRASH DIAGRAM  
OFFICER NAME: Reeves, Tim  
COUNTY: Wheeler

NEAREST CITY:

COUNTY RD. 16



CAUSE NO. 13412

CALVIN DEAN LUCK,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	31ST JUDICIAL DISTRICT
ALAN MICHAEL SEGURA, JR.,	§	
JARED CLAY PATTERSON, AND	§	
GILBERT SEGURA,	§	
	§	
Defendants.	§	WHEELER COUNTY, TEXAS

**DEFENDANT ALAN MICHAEL SEGURA, JR.'S ANSWERS TO  
PLAINTIFF'S FIRST INTERROGATORIES**

TO: Plaintiff CALVIN DEAN LUCK, by and through Plaintiff's attorney of record, Samantha Peabody Estrello, Killion Law Firm, P.O. Box 64670, Lubbock, TX 79464.

Pursuant to the Texas Rules of Civil Procedure, Defendant makes the following Answers to Plaintiff's First Interrogatories.

Respectfully Submitted,

*/s/ Sharon Billingsley Shaw*

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SHARON BILLINGSLEY SHAW  
State Bar #24034253  
LAW OFFICE OF SHARON BILLINGSLEY SHAW  
3223 South Loop 289, Suite 145  
Lubbock, TX 79423  
Tel: 806-796-3434  
Fax: 806-796-3449  
Email: LubbockSCEfile@geico.com  
ATTORNEY FOR DEFENDANT  
ALAN MICHAEL SEGURA, JR.



CERTIFICATE OF SERVICE

On the 16th day of January, 2017, a true and correct copy of this document was served in accordance with Texas Rules of Civil Procedure to Samantha Peabody Estrello, Killion Law Firm, P.O. Box 64670, Lubbock, TX 79464; J. Landon Schmidt, Peterson, Farris, Byrd & Parker, P.O. Box 65163, Lubbock, TX 79464.

*/s/ Sharon Billingsley Shaw*

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SHARON BILLINGSLEY SHAW



limited to a portable music player, pager, electronic organizer, or portable web browser? If yes, please state the item and nature of its use. If it was a cell phone, please provide the cellular provider and cell number.

**ANSWER: No.**

**INTERROGATORY NO. 14:** If, within twenty-four (24) hours preceding the incident in question, you consumed any alcoholic beverages or any prescription or non-prescription medication or any illegal drugs of any kind, please list the type of alcohol and/or drug consumed and the amounts consumed.

**ANSWER: No.**

**INTERROGATORY NO. 15:** With reference to the occurrence made the basis of this lawsuit, state your intended destination at the time of the incident, when and where your trip started, and your activity prior to the beginning the trip which ultimately resulted in the incident made the basis of this lawsuit.

**ANSWER: Defendant was traveling to Shamrock, Texas from Canadian, Texas.**

STATE OF TEXAS

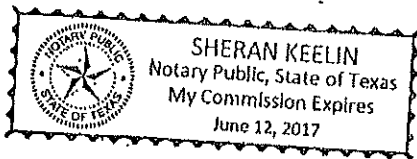
COUNTY OF Wheeler

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared ALAN MICHAEL SEGURA, JR., who being by me duly sworn on her oath, deposed and said that she has read the above and foregoing discovery documents and answered them, that she has personal knowledge of matters stated therein, and that the answers are true and correct.

Alan M. Segura Jr.  
ALAN MICHAEL SEGURA, JR.

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 20 day of Dec., 2016.



Sheran Keelin  
Notary Public in and for The State of Texas  
Printed Name: Sheran Keelin

Commission Expires: June 12, 2017